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PCT/EP2003/008881

PATENT COOPERATION TREATY



Translation

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference LEA36304-WO	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/008881	International filing date (day/month/year) 11 August 2003 (11.08.2003)	Priority date (day/month/year) 23 August 2002 (23.08.2002)
International Patent Classification (IPC) or national classification and IPC C07D 401/04, 409/04, 417/04, 403/04, A01N 43/54		
Applicant BAYER CROPSCIENCE AG		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 2 sheets, including this cover sheet.  
  
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
 These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 16 January 2004 (16.01.2004)	Date of completion of this report 07 April 2004 (07.04.2004)
Name and mailing address of the IPEA/EP  Facsimile No.	Authorized officer  Telephone No.

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

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International application No. PCT/EP2003/008881

**I. Basis of the report**

The basis of international preliminary examination report is the application as originally filed.

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability**

In light of the documents cited in the international search report, it is considered that the invention as defined in the claims meets the criteria mentioned in Article 33(1) PCT, i.e. it appears to be novel and to involve an inventive step.

VIII-3-1	<p><b>Erklärung: Berechtigung, Priorität zu beanspruchen</b></p> <p>Erklärung hinsichtlich der Berechtigung des Anmelders, zum Zeitpunkt des internationalen Anmeldedatums, eine Priorität zu beanspruchen, in Fällen, in denen der Anmelder nicht der Anmelder der früheren Anmeldung, deren Priorität beansprucht wird, ist oder in Fällen, in denen sich der Name des Anmelders seit dem Einreichen der früheren Anmeldung geändert hat (Regeln 4.17 Ziffer iii und 51bis.1 Absatz a Ziffer iii):</p> <p>Name:</p>	<p><b>in bezug auf diese internationale Anmeldung</b></p> <p><b>BAYER CROPSCIENCE AG</b></p> <p><b>ist kraft des nachfolgend Aufgeführten berechtigt, die Priorität der früheren Anmeldung Nr. 10238725.7 zu beanspruchen:</b></p>
VIII-3-1 (iii)		<p><b>auf Grund einer Vereinbarung zwischen Bayer AG und Bayer CropScience AG vom 19 Mai 2003 (19.05.2003)</b></p>
VIII-3-1 (ix)	<p>Diese Erklärung wird abgegeben im Hinblick auf:</p>	<p><b>alle Bestimmungsstaaten</b></p>